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Counsel to the Chapter 7 Trustee

In the Matter of:	UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
PATRICIA NOVELL	Chapter 7
Debtor.	Case No. 12-33331/RTL
	Hearing Date: May 13, 2013 at 10:00 a.m.
	Honorable Raymond T. Lyons, Jr.

**NOTICE OF MOTION FOR AN ORDER TO COMPEL THE TURNOVER OF PROPERTY OF THE ESTATE**

TO: Morgan Stanley Smith Barney LLC  
1585 Broadway  
New York, NY 10036  
Attention: Michael Corbat, Officer/Director/Member

Morgan Stanley Smith Barney LLC  
595 So. Federal Hwy., Suite 400  
Boca Raton, FL 33432

PLEASE TAKE NOTICE that on May 13, 2013 at 10:00 a.m. or as soon thereafter as counsel may be heard, the undersigned, Mitchell Malzberg, Esq., attorney for the Chapter 7 Trustee, Barry R. Sharer, shall move before the Honorable Raymond T. Lyons, Jr., United States Bankruptcy Court, 402 East State Street, Trenton, New Jersey, on motion seeking an Order to compel the turnover of property of the estate.

PLEASE TAKE FURTHER NOTICE that in support of the motion, the undersigned shall rely upon the supporting Certification. A proposed form of are also submitted and filed.

PLEASE TAKE FURTHER NOTICE that pursuant to the Local Rule 9013-1(i), unless the Court authorizes or directs otherwise, prior to the return date hereof, no testimony shall be taken at the hearing on this motion, except by certification or by affidavit;

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 9013-2, it is hereby respectfully submitted that no brief is necessary in the Court's consideration of this Motion, as it does not involve a complex issue of law;

PLEASE TAKE FURTHER NOTICE that in accordance with Local Rule 9013-1(d), opposition to the relief requested by this Motion and/or cross-motions, if any, shall be filed with the Clerk of the Bankruptcy Court and serviced upon this office within seven (7) days of the return date of this Motion;

PLEASE TAKE FURTHER NOTICE that pursuant to the Local Rule 9013-1(a), this Motion shall be deemed uncontested unless responding papers are timely filed in accordance with Local Rule 9013-1(d);

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 9013-1(a), a proposed form of Order is submitted herewith.

MITCHELL MALZBERG, ESQ.

/s/ Mitchell Malzberg  
MITCHELL MALZBERG, ESQ.  
Counsel to the Chapter 7 Trustee

Dated: April 12, 2013